Amendments to the Drawings:

The attached three (3) replacement sheets of drawings correct informalities in Figs. 15, 16, and 51 that are described more completely below.

Sheet one, which includes Fig. 15, replaces the original sheet including Fig. 15.

Sheet two, which includes Fig. 16 replaces the original sheet including Fig. 16.

Sheet three, which includes Fig. 51, replaces the original sheet including Fig. 51.

Attachment: Three (3) Replacement Sheets

REMARKS

Claims 1 to 88 are pending in the application at the time of examination. Claims 10 to 18, 28 to 36, 46 to 54 and 72 to 88 were considered in the examination. The remaining claims stand withdrawn as directed to a non-elected species. The rejection objected to Claims 14, 18, 32, 36, 50, 54, 84 and 88. Claims 10, 12 to 14, and 74 to 84 stand rejected for obviousness-type double patenting. Claims 10 to 18 and 46 to 54 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 46 to 54 stand rejected under 35 U.S.C. § 112, second paragraph. Claims 10 11, 14, 15, 18, 28, 29, 32, 33, 36, 46, 47, 50, 51, 54, 72, 73, 84, 85 and 88 stand rejected as anticipated. Claims 12, 13, 16, 17, 30, 31, 34, 35, 48, 49, 52, 53, 74 to 82, 83, 86 and 87 stand rejected as obvious.

Specification Amendments

Applicant has amended paragraphs [0001] and [0002] to remove the Attorney Docket Numbers and to properly reflect the status of the U.S. Patent Applications cited therein.

Applicant has amended paragraph [0003] to correct a typographical error.

Applicant has amended paragraph [0014] to provide the term commonly associated with "ATM networks." Applicant has amended paragraph [0021] to provide the term commonly associated with "CGI." Applicant has amended paragraph [0024] to provide the term commonly associated with "HTTP."

Drawing Changes

A review of the drawings showed that Fig. 15 includes two different elements with the same reference numerals "1505." A review of the specification showed that paragraph [0064] used reference numeral 1505 for both the

Secure User Device and the Content Provisioner. To correct this error, paragraphs [0064] to [0067] of the specification are amended to use reference numeral "1510" for the Secure User Device so that each different element has a unique reference numeral. Accordingly, Fig. 15 was corrected to use reference numeral 1510 for the Secure User Device. The amendment to Fig. 15 obtains correspondence between the figure and the specification. The amendment to the specification assigns a unique reference numeral to each element and thereby removes any possible ambiguity. Entry of the replacement sheet with corrected Fig. 15 is respectfully requested.

The review showed that Fig. 16 includes two different elements with the same reference numerals "1605." A review of the specification showed that paragraph [0068] used reference numeral 1605 for both the Secure User Device and the Content Provisioner. To correct this error, the specification is amended to use reference numeral "1610" for the Secure User Device so that each different element has a unique reference numeral. Accordingly, Fig. 16 was corrected to use reference numeral 1610 for the Secure User Device. The amendment to Fig. 16 obtains correspondence between the figure and the specification. The amendment to the specification assigns a unique reference numeral to each element and thereby removes any possible ambiguity. Entry of the replacement sheet with corrected Fig. 16 is respectfully requested.

The review of Fig. 51 also noted that in Fig. 51, elements 5120 and 5130 both included a typographical error "Token Token." Accordingly, one instance of "Token" was deleted from elements 5120 and 5130. This amendment obtains correspondence between the description and the drawings. Entry of the replacement sheet with corrected Fig. 51 is respectfully requested.

Claim Objections

Claims 14, 18, 32, 36, 84 and 88 stand objected to for the use of "HTTP." The objection required that "HTTP" be spelled out. Applicant has amended each of Claims 14, 18, 32, 36, 84 and 88 to spell out "HTTP." Applicant respectfully requests reconsideration and withdrawal of the objection to Claims 14, 18, 32, 36, 84 and 88.

Claim Amendments

Each of Claims 10, 15, 28, 33, 72 and 85 have been amended to more clearly recite the invention. The amendments are supported at least by Fig. 63 and the description thereof.

Each of Claims 11, 29, and 73 are amended to correct an antecedent basis informality and for consistency with the claim from which each depends.

Claims 12, 16, 30, 34, 82 and 86 are amended to correct an antecedent basis informality created by the amendment to the independent claim from which each depends.

Double Patenting Rejection in View of U.S. Patent
No. 7,398,557.

Claims 10, 12 to 14, and 74 to 84 stand rejected for obviousness-type double patenting over Claims 1, 7 to 9, and 64 to 71 of U.S. Patent No. 7,398,557 in view of U.S. Patent Application Publication No. 2004/0024652, hereinafter referred to as Buhse.

Enclosed herewith are a terminal disclaimer and the appropriate fee. Thus, the obviousness-type double patenting rejection of Claims 10, 12 to 14, and 74 to 84 has been rendered moot. Applicant respectfully requests reconsideration and withdrawal of the obviousness-type double patenting rejection of each of Claims 10, 12 to 14, and 74 to 84.

§ 101 Rejections

Claims 10 to 18 and 46 to 54 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant respectfully disagrees with the USPTO's interpretation of the case law and the basis for the rejection. Nevertheless, to move prosecution forward, Applicant has amended Claims 10 to 18, as appropriate, to recite that the method is performed on a user device and so the user device is transformed from a general user device to a special purpose user device. Therefore, these claims are tied to a specific hardware and so are patentable. Applicant respectfully requests reconsideration and withdrawal of the § 101 rejection of each of Claims 10 to 18.

Claims 46 to 54 have been cancelled. Thus, the § 101 rejection of these claims is rendered moot.

The cancellation of Claims 46 to 54 also renders moot the 112 rejections as well as the anticipation and obviousness rejections of these claims.

§ 102 Rejections

Claims 10, 11, 14, 15, 18, 28, 29, 32, 33, 36, 72, 73, 84, 85 and 88 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent Application Publication No. 2004/0024652, hereinafter referred to as Buhse.

Applicant respectfully traverses the anticipation rejection of each of Claims 10, 28, and 72.

The rejection cited Paragraphs [0124] to [0135], [155] to [161] and [169] to {172] as well as others. These paragraphs must be taken in context.

Paragraphs [0154] to [0158] of Buhse describe a rights locker component (RLC), which is accessed via an OMS as shown in Fig. 6A of Buhse. Paragraphs [0160] to [0172] of

Buhse describe a "flow chart of an exemplary algorithm to perform the RLC function. The RLC processes requests from other components." Thus, the processing is performed by the RLC on a system that is different from a user device as shown in Fig. 1A of Buhse.

Paragraphs [0124] to [0135] of Buhse describe an account management system of Fig. 5A. According to Buhse, "Account Management System (AMS) 103 [is] composed of an Account Management Gateway (AMG) 501 and an Account Management Component (AMC) 304." (Buhse at Paragraph [0124].)

Thus, the rejection takes pieces from different parts of a system and recombines those pieces according to Applicant's claim language and not any teaching in Buhse. Moreover, Buhse shows that the pieces selected are on a system that is separate and distinct from the user devices as illustrated in Fig. 1A of Buhse. Thus, Buhse teaches away from Applicant's invention as recited in each of Claims 10, 28, and 72 that recite a user device and structure and operations on such a device. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each of Claims 10, 28, and 72.

Applicant respectfully traverses the anticipation rejection of each of Claims 11, 14, 29, 73 and 84. Each of these claims distinguishes over Buhse at least for the same reasons as the independent claim from which it depends. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each of Claims 11, 14, 29, 32, 36, 73 and 84.

With respect to Claims 15, 33 and 85, the cited portions of Buhse included paragraphs [0029] to [0033] and [0155] to [0161] and [175 to 180]. Applicant respectfully traverses the anticipation rejection of each of Claims 15, 33 and 85. The rejection has failed to demonstrate that Buhse teaches the invention in the same level of detail and arranged as recited in these claims.

Paragraphs [0029] to [0033] of Buhse describe in overview terms a Client Interface, an Offer Catalog, an Account Management System, and a rights locker component. Examination of Buhse shows that these elements are not on a common system as recited in these Claims and do not interact in the order and with the elements recited in the claims.

With respect to the Client Interface, Buhse described:

> The CLI is an algorithm in software programmed on a digital computer that acts as a CLI web interface and gateway for the content provider into the system. The CLI is connected to AMC 304, OCC 102, and APC 106

(Buhse at Paragraph [00076].) Fig. 1A of Buhse shows that CLI 101 is outside the system that includes AMS 103 and RLC 104.

Paragraphs [0154] to [0158] of Buhse describe a rights locker component (RLC), which is accessed via an OMS as shown in Fig. 6A of Buhse. Paragraphs [0160] to [0172] of Buhse describe a "flow chart of an exemplary algorithm to perform the RLC function. The RLC processes requests from other components." Thus, the processing is performed by the RLC on the system shown in Fig. 1A.

Paragraphs [0123] to [0135] describe the account management system that is illustrated in more detail in Fig. 5A. According to Buhse, "Account Management System (AMS) 103 [is] composed of an Account Management Gateway (AMG) 501 and an Account Management Component (AMC) 304." (Buhse at Paragraph [0124].)

Thus, the rejection takes pieces from different parts of a system and recombines those pieces according to Applicant's claim language and not any teaching in Buhse.

In addition, the rejection has cited no teaching of "digital content specification" and an associated authenticated rights locker access request." Paragraphs [0029] to [0033], and [0064] to [0072] of Buhse fail to include any teaching of a specification or an authenticated

request that is received from one of the user devices in Fig. 1A of Buhse. Also, there has been no showing that the authenticated request was authenticated by what the rejection characterized as the rights locker provider.

The explicit claim language has been reduced to a gist, but the MPEP requires that Buhse show the invention recited in these Claims in the same level of detail. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each of Claims 15, 33 and 85.

Applicant respectfully traverses the anticipation rejection of each of Claims 18, 36, and 88. Each of these claims distinguishes over Buhse at least for the same reasons as the independent claim from which it depends. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each of Claims 18, 36, and 88.

Claims 12, 13, 16, 17, 30, 31, 34, 35, 48, 49, 52, 53, 82, 83, 86 and 87 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Buhse in view of U.S. Patent No. 7,136,631, hereinafter referred to as Jiang.

Applicant respectfully traverses the obviousness rejection of each of Claims 12, 13, 16, 17, 30, 31, 34, 35, 82, 83, 86 and 87. Assuming the combination of references is correct, the additional information cited in Jiang fails to correct the deficiencies in Buhse as noted above with respect to the independent claims from which these claims depend. Applicant respectfully requests reconsideration and withdrawal of obviousness rejection of each of Claims 12, 13, 16, 17, 30, 31, 34, 35, 82, 83, 86 and 87.

Claims 74 to 81 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Buhse in view of U.S. Patent Application Publication No. 2003/0073440, hereinafter referred to as Mukherjee.
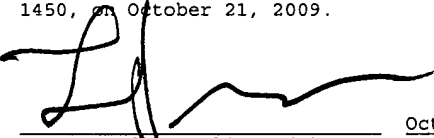
Applicant respectfully traverses the obviousness rejection of each of Claims 74 to 81. Assuming the combination of references is correct, the additional

information cited in Mukherjee fails to correct the deficiencies in Buhse as noted above with respect to the independent claim from which these claims depend. Applicant respectfully requests reconsideration and withdrawal of obviousness rejection of each of Claims 74 to 81.

Claims 10 to 18, 28 to 36, and 72 to 88 remain in the application. Claims 10 to 12, 14 to 16, 18, 28 to 30, 32 to 34, 36, 72 to 73, 82, 84 to 86 and 88 have been amended. Claims 1 to 9, 19 to 27, and 37 to 71 have been cancelled. For the foregoing reasons, Applicant(s) respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 21, 2009.
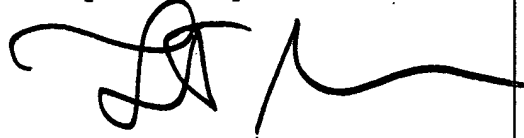
_____   October 21, 2009
Attorney for Applicant(s)   Date of Signature

Respectfully submitted,

Forrest Gunnison
Attorney for Applicant(s)
Reg. No. 32,899
Tel.: (831) 655-0880